

Notice of Allowability

Application No.

10/708,116

Applicant(s)

WU ET AL.

Examiner

Art Unit

Ruth Ilan

3616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of 7/14/06.
2. ☒ The allowed claim(s) is/are 1-10, 12-17, 19 and 20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Ruth Ilan
Primary Examiner
AU 3616

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Thomas Donohue on September 28, 2006.

The application has been amended as follows:

Claim 10 has been amended as follows:

10. (currently amended) An automotive ejection prevention assembly comprising:
an airbag mounted within the beltline of a vehicle door, said airbag having an airbag stored condition and an airbag deployed position, said airbag expanded vertically upwards from said beltline when in said airbag deployed position;

a rollover sensor;

a controller in communication with said rollover sensor and said airbag, said controller deploying said airbag in response to said rollover sensor;

~~wherein said airbag fills a portion of said window frame upon said airbag entering said airbag deployed position, said airbag preventing occupant ejection through said window frame.~~

A cover cloth assembly mounted within a window frame of said vehicle door, said cover cloth assembly having a vertical restraint edge mounted to a vertical portion of said window frame and a horizontal restraint edge mounted to said beltline,

said cover cloth assembly including an inner cloth surface and an outer cloth surface joined to form an internal pocket, said airbag positioned within said internal pocket, said cover cloth assembly fills a portion of said window frame as a result of said airbag inflating within said internal pocket as said airbag enters said airbag deployed position.

Claim 11 has been cancelled.

In claim 15, line 2, "11" has been changed to ---10----

Claim 17 has been amended as follows:

17. (currently amended) A method of preventing passenger ejection during a vehicular rollover comprising:

storing an airbag within the beltline of a vehicle door, said airbag having an airbag stored condition and an airbag deployed position;

monitoring a rollover sensor to determine vehicle orientation;

deploying said airbag vertically upward from said beltline into a window frame such that said airbag enters said airbag deployed position when said rollover sensor indicates a rollover;

preventing occupant ejection through said window frame by ~~filling said window frame with said airbag.~~ placing said airbag within a cover cloth assembly mounted within said window frame of said vehicle door, said cover cloth assembly having a vertical restraint edge mounted to a vertical portion of said window frame and a horizontal restraint edge mounted to said beltline, said cover cloth assembly including an inner cloth surface and an outer cloth surface joined

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to form an internal pocket, said airbag positioned within said internal pocket, said cover cloth assembly fills a portion of said window frame as a result of said airbag inflating within said internal pocket as said airbag enters said airbag deployed position.

Claim 18 has been cancelled.


In claim 19, line 1, "18" has been changed to ----17-----.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth Ilan whose telephone number is 571-272-6673.

The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Ruth Ilan

Primary Examiner

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RI

9/28/06